

REMARKS**Corrected Drawings**

Corrected drawings and annotated drawings showing changes are submitted. Applicants submit the corrected drawings are consistent with the specification as filed and, therefore, add no new matter to the application.

Claims Amended to Correct Matters of Form and to Further Clarify the Invention

Claims 1-13 were objected to because the preamble of each claim was not followed by a semi-colon. Applicants submit that no such requirement exists, however, have amended claims 1-13, as well as claims 14-23, as required by the Examiner. Accordingly, Applicants request that the objections to claims 1-13 be withdrawn.

Claim 12 was objected to because the phrase "an asymmetric key algorithm" was repeated two times. Applicants amended claim 12 to omit one occurrence of the phrase "an asymmetric key algorithm". Accordingly, Applicants request that the objection to claim 12 be withdrawn.

Applicants also amended claim 1 to recite the feature of originally filed claim 3, e.g., "a private identity generator for generating a unique private identity for the individual independent of the identity information." Applicants amended claims 4, 6-9, and 11 to depend from amended claim 1, instead of originally filed claim 3. Applicants amended claim 13 to correct awkward wording in the second clause, and to change the second clause to be in agreement with claim 1. Applicants amended claim 18 to recite that the private identity provided is "independent of the identity information." Support for the amendments can be found, among other places, on page 3, line 16 - page 4, line 15, and page 8, line 17 - page 9, line 19 of the application and in Figures 2 through 5. No new matter is added by the amendments.

Claim Rejection Under 35 U.S.C. § 112

Claim 5 is rejected as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Applicants have cancelled claim 5, thereby rendering the rejection moot.

Amended Claims Patentably Distinguish Over U.S. Patent 6,785,810 to Lirov et al.

Claims 1-23 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent 6,785,810 to Lirov et al. (“the ‘810 patent”). The ‘810 patent discloses methods for securely transmitting, searching, and storing data by double encrypting sensitive data such as a user’s identity by, for example, using the user’s public key and an application server’s public key, and single encrypting non-sensitive data using only the application server’s public key. (‘810 patent, abstract, col. 5, ll. 53-60). The application server may decrypt the sensitive and non-sensitive data using the application server’s private key, however, the sensitive data remains secure and can be decrypted only by using the user’s private key. (‘810 patent, col. 5, ll. 61-67).

However, the ‘810 patent fails to teach anything other than encrypting or decrypting a user’s information. The ‘810 patent fails to teach providing a “unique private identity” which “lacks any information that may be employed, in and of itself, to determine identity information.” (Application, page 3, ll. 24 – 27.) Furthermore, the “unique private identity” allows the decoupling of patient identity information from patient data while the patient data is stored and/or accessed. (Application, page 4, ll. 1-4.) Accordingly, the ‘810 patent fails to teach “a private identity generator for generating a unique private identity for the individual independent of the identity information” as recited by amended claims 1 and 13 or “providing the individual with a private identity independent of the identity information” as recited by amended claim 18.

As the ‘810 patent fails to teach providing a “unique private identity”, it follows that the ‘810 patent also fails to teach “a means for employing the private identity as a relational link key for relating medical data associated with the individual to the encryption key associated with the individual” as recited by claim 6. In addition, the sections of the ‘810 patent cited by the Examiner fail to teach relating either a public or private encryption key to any other key. Instead, col. 5, ll. 4-6 of the ‘810 patent teaches a database of “users’ private keys which are encrypted using a key-store master symmetric key” and col. 6, ll. 12-27 teaches encrypting a

search query using a user's public key to allow standard relational database operations such as searching using the SELECT and IF-THEN command.

For the above reasons, Applicants respectfully request that the Examiner reconsider and withdraw the § 102 rejection of claims 1, 6, 13, and 18 based on the '810 patent. Since claims 2, 4, 6-12, 14-17 and 19-23 all variously depend from claims 1, 13, and 18, and recite further limitations thereon, Applicants also request that the Examiner reconsider and withdraw the § 102 rejection of those claims based on the '810 patent.

CONCLUSION

In view of the above, Applicants submit each of the presently pending claims in this application is in condition for allowance. Accordingly, Applicants respectfully request the Examiner to pass this application to issue.

Applicants request an extension of time for submission of this response. Please charge our Deposit Account No. 18-1945, under Order No. FGTI-P01-002 from which the undersigned is authorized to draw.

Dated: February 22, 2005

Respectfully submitted,

By 

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AMENDMENTS TO THE DRAWINGS

The attached two sheets of drawings include changes to Figs. 1 and 2. These two sheets replace the original sheets of Figs. 1 and 2. In Fig. 1, element 10 referring to the Patient Informed Content box has been corrected to recite element 18. In Fig. 2, the phrase “add in the master key table;” has been deleted.

Attachment: Two replacement sheets
Two Annotated Sheets showing Changes

ANNOTATED SHEET SHOWING CHANGES

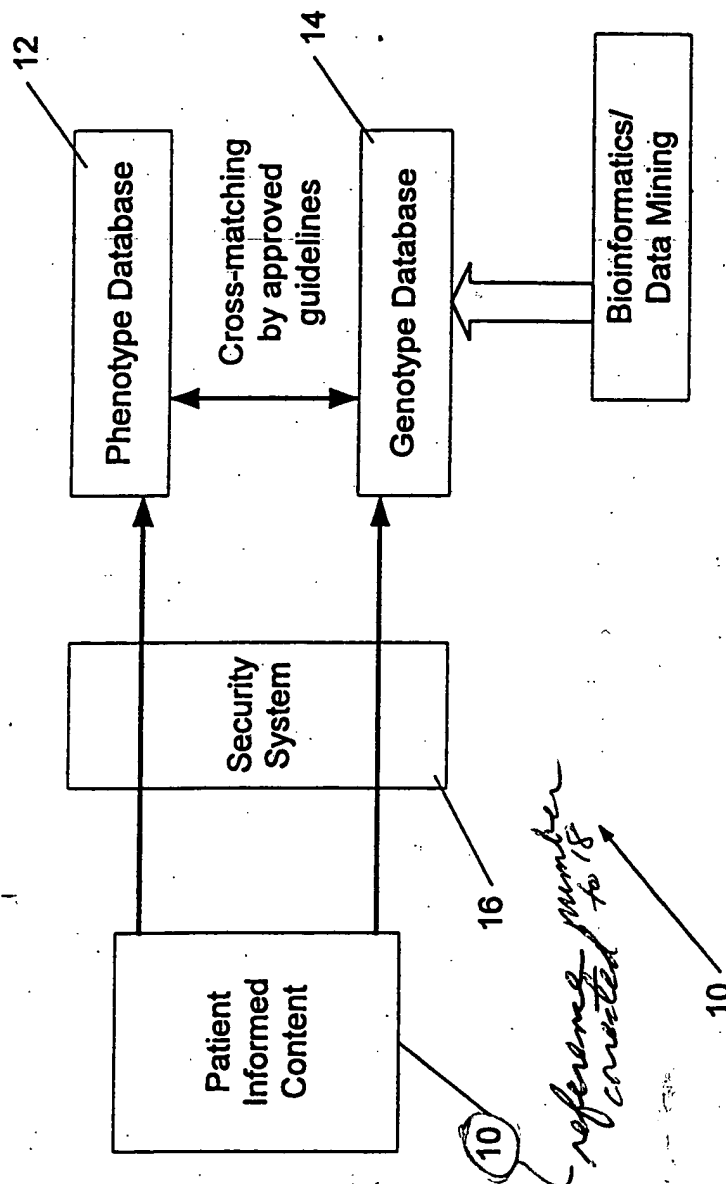


Fig. 1

